



Handwritten initials: *EW*

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/706,391
		Filing Date	November 12, 2003
		First Named Inventor	Randal Eckert
		Art Unit	1645
		Examiner Name	Zeman, Robert A.
Total Number of Pages in This Submission	2	Attorney Docket Number	061818-5512 US02

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request (See Remarks) <input checked="" type="checkbox"/> Response to Non-Responsive Amendment  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition  <input type="checkbox"/> Change of Address <input type="checkbox"/> Revocation and Power of Attorney (with Schedule A)  <input type="checkbox"/> Statement Under 37 CFR § 3.73(b)  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Inquiry  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> <ul style="list-style-type: none"><li>• Return postcard</li></ul>
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 50-0310.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Morgan, Lewis & Bockius LLP Ada Wong Reg. No. 55,740
Signature	
Date	May 10, 2006

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Judi Stillwell		
Signature		Date	May 10, 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Randal Eckert, et al.

Application Serial No.: 10/706,391

Filing Date: November 12, 2003

Art Unit:

1645

Examiner:

Zeman, Robert A.

Confirmation No.

5819

For: ANTI-MICROBIAL TARGETING  
CHIMERIC PHARMACEUTICAL

Attorney Docket No.:  
**061818-5512 US02**

**RESPONSE TO NON-RESPONSIVE AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of a Non-responsive Amendment mailed April 12, 2006, Applicants elect Group I, claims 2-5, 10-11, 13-20 and 24-27, and further elects SEQ ID NO: 61 for initial examination without prejudice. Applicants expressly reserve the right to prosecute other non-elected claims at a later stage.

Respectfully submitted,

Date: May 10, 2006

Ada Wong

MORGAN LEWIS & BOCKIUS LLP

2 Palo Alto Square

3000 El Camino Real, Suite 700

Palo Alto, CA 94306-2212

(415) 442-1340

55,740

(Reg. No.)